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11 **UNITED STATES DISTRICT COURT**
12 **CENTRAL DISTRICT OF CALIFORNIA**

13 CHINA CENTRAL TELEVISION, a China
company; CHINA INTERNATIONAL
14 COMMUNICATIONS CO., LTD., a China
company; TVB HOLDINGS (USA), INC., a
15 California corporation; and DISH
NETWORK L.L.C., a Colorado corporation,
16 Plaintiffs,

vs.

17 CREATE NEW TECHNOLOGY (HK)
LIMITED, a Hong Kong company; HUA
18 YANG INTERNATIONAL TECHNOLOGY
LIMITED, a Hong Kong company;
19 SHENZHEN GREATVISION NETWORK
TECHNOLOGY CO. LTD., a China
20 company; CLUB TVPAD, INC., a California
corporation; BENNETT WONG, an
21 individual, ASHA MEDIA GROUP INC.
d/b/a TVPAD.COM, a Florida corporation;
22 AMIT BHALLA, an individual;
NEWTVPAD LTD. COMPANY d/b/a
23 NEWTVPAD.COM a/k/a TVPAD USA, a
Texas corporation; LIANGZHONG ZHOU,
24 an individual; HONGHUI CHEN d/b/a E-
DIGITAL, an individual; JOHN DOE 1 d/b/a
25 BETV; JOHN DOE 2 d/b/a YUE HAI; JOHN
DOE 3 d/b/a 516; JOHN DOE 4 d/b/a HITV;
26 JOHN DOE 5 d/b/a GANG YUE; JOHN
DOE 6 d/b/a SPORT ONLINE; JOHN DOE 7
27 d/b/a GANG TAI WU XIA; and JOHN DOES
8-10,

28 Defendants.

) Case No.
) **CV 15-1869 SVW (AJWx)**

) **DECLARATION OF**
) **NICHOLAS BRAAK IN**
) **SUPPORT OF PLAINTIFFS'**
) **REQUEST TO SUPPLEMENT**
) **EXHIBIT C TO SECOND**
) **AMENDED ORDER**
) **GRANTING PLAINTIFFS'**
) **MOTION FOR DEFAULT**
) **JUDGMENT AND**
) **PERMANENT INJUNCTION**

) Courtroom: 10A
) Judge: Hon. Steven V.
Wilson

DECLARATION OF NICHOLAS BRAAK

I, Nicholas Braak, declare as follows:

1. I am a licensed private investigator and have worked as a computer forensics investigator for more than nine years. I am employed by the Mintz Group LLC (“Mintz”), a corporate research and investigations firm based in New York, with offices in Washington D.C., London, Hong Kong, Beijing, Nairobi, and six other cities throughout the world. I have worked for Mintz since January 2014. During my career in information security and digital forensics, I have participated in hundreds of investigations involving intellectual property rights, cybercrime, Internet forensics, and other matters.

2. Mintz was retained in 2014 by Plaintiffs China Central Television, China International Communications Co., Ltd., TVB Holdings (USA), Inc., and DISH Network L.L.C. (collectively “Plaintiffs”) to investigate the TVpad device manufactured by defendant Create New Technology (HK) Limited (“CNT”) and the unlicensed international television programming provided to U.S. consumers through the TVpad device (the “TVpad Service”).

3. I make this declaration in support of Plaintiffs’ request to supplement an exhibit to the second amended permanent injunction in this action. I have personal knowledge of the facts contained herein and, if called upon as a witness, I could and would testify competently about these facts, except for those matters stated expressly upon information and belief, which matters I believe to be true.

4. As discussed in my prior declarations, I have managed the forensic investigation for this matter and conducted research at the direction of Christopher Weil, the lead investigator. During the course of our investigation, Mintz purchased TVpad3, TVpad4 and blueTV devices. I personally forensically tested each of these devices and confirmed their consistent functionality among devices of the same model. I also personally viewed and caused to be recorded streamed content delivered by these devices and have periodically monitored the continued availability

1 of that streamed content through these devices and the services provided on them. As
2 part of this work, I have periodically identified IP addresses and domain names that
3 the TVpad and blueTV devices and their infringing apps use to function and deliver
4 CCTV and TVB television programming.

5 5. As stated in paragraph 5 of my April 17, 2017 declaration, in my
6 experience, manufacturers (such as CNT) of devices used for copyright
7 infringement—like the TVpad and blueTV devices—often attempt to thwart
8 enforcement actions taken against them by changing the IP addresses and domain
9 names of the online resources utilized by such devices.

10 6. As discussed in paragraph 6 of my April 17, 2017 declaration, since this
11 Court's issuance of the preliminary injunction order and default judgment order in
12 this proceeding and up to the present day, I have observed that CNT has done just
13 this. Plaintiffs have regularly sought to enforce this Court's injunctions by serving
14 them on third parties controlling the domain names and servers that the Enjoined
15 Parties use to maintain the functionality of TVpad and blueTV infringing apps and to
16 stream video through those apps; and the Enjoined Parties have responded by
17 speedily setting up new domain names and new servers at new IP addresses in an
18 effort to evade Plaintiffs' enforcement of this Court's injunctions. In **Exhibit 1**
19 hereto, I have identified new domain names and new server IP addresses that the
20 Enjoined Parties are currently using to evade enforcement of this Court's permanent
21 injunction and to continue perpetrating their infringement of CCTV and TVB
22 television programs.

23 I declare under penalty of perjury under the laws of the United States of
24 America that the foregoing is true and correct.

25 Executed this 10th day of July, 2017 in New York, New York.

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Nicholas Braak